

OKC-780863

NATIONAL SECURITY COUNCIL

STAT

February 28, 1978

NOTE TO

[Redacted]

FROM: SAM HOSKINSON

SH

Attached is the Abourezk letter to Dr. Brzezinski which I mentioned to you over the phone this morning. I have also talked with Bill Miller, who, like you, suggests offering Abourezk an opportunity to read the document himself by taking it to him but with retention by the Select Committee. Miller thought Senator Bayh might be willing to intervene with Abourezk if it came to that.

Attachment

MORI/CDF

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United States Senate

COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON
ADMINISTRATIVE PRACTICE AND PROCEDURE
WASHINGTON, D.C. 20510

Stacy w/ my back up

OLC-78-0863
White House

February 23, 1978

Mr. Zbigniew Brzezinski
Assistant to the President for
National Security Affairs
National Security Council
Old Executive Office Building
Washington, D.C. 20506

Dear Mr. Brzezinski:

Your letter of February 3 arrived while I was away during the recess; hence my delay in responding.

I appreciate your willingness to cooperate with the Subcommittee's inquiry relating to the NSC's role in CIA's decision concerning public acknowledgment of its role in the Glomar Explorer Project.

I was surprised, however, at the procedure the NSC unilaterally undertook for transmitting the documents requested by the Subcommittee in connection with this inquiry. It was my understanding, from my conversation with your assistant, David Aaron, that the requested material would be delivered directly to me and that after reviewing the documents, I would inform you if anything further was required. At no time was there any discussion of providing the material through the Senate Select Committee on Intelligence. Indeed, I would have never agreed to such an arrangement.

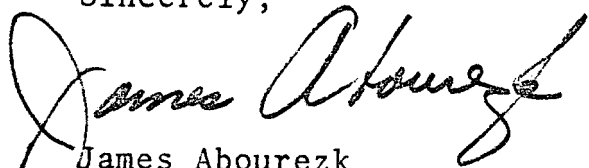
Let me stress that such an arrangement is totally unacceptable. The Subcommittee on Administrative Practice and Procedure has an independent authority and jurisdiction and I will not enter into any agreement which abrogates that responsibility. Furthermore, when the Select Committee was established, it was expressly acknowledged that:

"nothing in this resolution (S. Res. 400) shall be construed as prohibiting or otherwise restricting the authority of any other Committee to study and review any intelligence activity to the extent that such activity directly affects a matter otherwise within the jurisdiction of such Committee." S. Res. 400 s 3(c).

It was never intended that the Select Committee would be a clearinghouse for classified material requested by any other Committee of the Senate, especially when the information although classified is not necessarily intelligence information. In any event, the responsibility for determining what matters are appropriately before a Congressional Committee or Sub-committee clearly rests with Congress and not the Executive branch.

Accordingly, please have delivered to my office the material which was forwarded to the Senate Select Committee on Intelligence. I can assure you that appropriate arrangements can be made to handle the material, consistent with the sensitivity of the information.

Sincerely,

A handwritten signature in cursive script, appearing to read "James Abourezk".

James Abourezk
Chairman
Subcommittee on Administrative
Practice and Procedure